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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CARLA PERKINS,

Case No. C04-5197 JCS

Plaintiff(s),

v.

ROTECH HEALTHCARE INC.,

Defendant(s).

**ORDER DENYING DEFENDANT  
ROTECH HEALTHCARE'S MOTION TO  
VACATE ORDER REFERRING CASE  
FOR FURTHER SETTLEMENT  
CONFERENCE [Docket No. 71]**

On December 1, 2005, Defendant Rotech Healthcare filed a Motion to Vacate Order Referring Case for Further Settlement Conference (the "Motion").

IT IS HEREBY ORDERED that the Motion is DENIED.

IT IS SO ORDERED.

Dated: December 6, 2005

  
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JOSEPH C. SPERO  
United States Magistrate Judge